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JAN

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/760,509 | 01/12/2001 | Gilbert Wolrich | 10559/317001/P9678 | 2157 |
| 20985 | 7590 | 04/04/2005 | EXAMINER | |
| FISH & RICHARDSON, PC 12390 EL CAMINO REAL SAN DIEGO, CA 92130-2081 | | | | LI, AIMEE J |
| ART UNIT | | PAPER NUMBER | | |
| | | 2183 | | |

DATE MAILED: 04/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/760,509 | WOLRICH ET AL. | |
| | Examiner | Art Unit | |
| | Aimee J Li | 2183 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 January 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-7 and 15-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-7 and 15-26 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 12 January 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>03 January 2005</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

1. Claims 1-7 and 15-26 have been considered. Claims 1, 15, and 19 have been amended as per Applicant's request.

Papers Submitted

2. It is hereby acknowledged that the following papers have been received and placed of record in the file: RCE as filed on 03 January 2005, Amendment as filed on 03 January 2005, and IDS as filed on 03 January 2005.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 03 January 2005 has been considered by the examiner. However, the Waldspurger reference was not considered, since it was cited by the Examiner back in 09 March 2004.

Drawings

4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "each bank having no more than two ports" limitation must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

5. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes

made to the brief description of the several views of the drawings for consistency.

Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. Claims 1-7 and 15-26 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claims have been amended to incorporate the limitation "each bank having no more than two ports". After perusing the written description, the Examiner was unable to locate where this limitation is described in the written description to convey it to one of ordinary skill in the art.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-5 and 15-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parady, U.S. Patent Number 5,933,627 (herein referred to as Parady) in view of itself.

10. Regarding claims 1 and 15, taking claim 1 as exemplary, Parady has taught an execution unit for execution of multiple context threads comprises:

- a. An arithmetic logic unit to process data for executing threads (Parady Col.2 lines 18-29 and Col.3 lines 19-25),
- b. Control logic to control the operation of the arithmetic logic unit (Parady Col.3 lines 10-18),
- c. A general purpose register set to store and obtain operands for the arithmetic logic unit, the register set constructed with a two-ported random access memory (Parady 48 of Fig.1/Fig.3), with the register set divided into a plurality of banks (Parady Col.3 lines 43-49), each bank being capable of performing a read and a write to two different words with two ports in the same processor cycle (Parady Fig.3 and Col.3 lines 43-49).
Here, because the register file contains ten ports (Parady 48 of Fig.1) and four banks (Parady Col.3 lines 43-49), there are inherently at least two ports per bank, therefore allowing each bank to write or read at least one word per bank per cycle.

11. Parady has not explicitly taught in the detailed description of its device each bank having no more than two ports. However, Parady does teach having a bank of memory

with one or two ports in column 5, lines 32-34. A person of ordinary skill in the art, and as taught by Parady, would have recognized that only having one or two ports in a bank of memory uses less silicon than duplicating registers (Parady column 5, lines 30-31), thereby it is more economical to have only one or two port banks of memory (Parady column 4, lines 32-34). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the one or two port memory banks of Parady in the device described in Parady to use less silicon and be more economical.

12. Claim 15 is nearly identical to claim 1, differing in its parent claim, but encompassing the same scope. Therefore, claim 15 is rejected for the same reasons as claim 1.

13. Regarding claims 2 and 16, taking claim 2 as exemplary, Parady has taught the execution unit of claim 1, wherein the register set is logically partitioned into a plurality of relatively addressable windows (Parady Col.3 lines 43-49 and Col.4 lines 1-8). Here, the register file is divided into four register files for four threads (Parady Col.3 lines 43-45), and there is a thread field in each instruction that identifies which thread an instructions operands come from (Parady Col.4 lines 1-8). This makes each register in each register file relatively addressable, being differentiated from each other relative to their 2-bit thread field.

14. Claim 16 is nearly identical to claim 2, differing in its parent claim, but encompassing the same scope. Therefore, claim 16 is rejected for the same reasons as claim 2.

15. Regarding claims 3 and 17, taking claim 3 as exemplary, Parady has taught the execution unit of claim 2, wherein the number of windows of the register set is according to the number of threads that can execute in the processor (Parady Col.3 lines 43-49).

16. Claim 17 is nearly identical to claim 3, differing in its parent claim, but encompassing the same scope. Therefore, claim 17 is rejected for the same reasons as claim 3.

17. Regarding claims 4, 18 and 21, taking claim 4 as exemplary, Parady has taught the execution unit of claim 1, where the relative addressing allows the currently executing thread to access to any of the registers relative to the starting point of a window of registers (Parady Col.3 lines 43-49 and Col.4 lines 1-8). Here, the register file is divided into four register files for four threads (Parady Col.3 lines 43-45), and there is a thread field in each instruction that identifies which thread an instructions operands come from (Parady Col.4 lines 1-8). This makes each register in each register file relatively addressable, being differentiated from each other relative to their 2-bit thread field, allowing a thread to access registers associated with its 2-bti thread field.

18. Claims 18 and 21 are nearly identical to claim 4, differing in their parent claims, but encompassing the same scope. Therefore, claim 18 and 21 are rejected for the same reasons as claim 4.

19. Regarding claims 5 and 22, taking claim 5 as exemplary, Parady has taught the execution unit of claim 1, wherein the register set is absolutely addressable where any one of the addressable registers may be accessed by the currently executing thread by providing the exact address of the register (Parady Col.3 lines 43-49 and Col.4 lines 1-8, 18-22). As shown above in paragraphs 23 and 27, the register set is relatively

addressable using a 2-bit thread field that specifies which thread, and consequently which register window, an instruction's operands come from. However, the 2-bit thread field can also be used to inter-relate two threads (Parady Col.4 lines 18-22), thus allowing one thread to access to any other register in any other thread, providing absolute addressability.

20. Claim 22 is nearly identical to claim 5, differing in its parent claim, but encompassing the same scope. Therefore, claim 22 is rejected for the same reasons as claim 5.

21. Regarding claim 19, Parady has taught a processor unit comprising:

- a. An execution unit for execution of multiple context threads comprising:
 - i. An arithmetic logic unit to process data for executing threads (Parady Col.2 lines 18-29 and Col.3 lines 19-25),
 - ii. Control logic to control the operation of the arithmetic logic unit (Parady Col.3 lines 10-18),
 - iii. A general purpose register set (Parady 48 of Fig.1/Fig.3) to store and obtain operands for the arithmetic logic unit ({Parady see Fig.3}), the register set constructed with a two-ported random access memory. While not taught explicitly, it is inherent in the operation of a register file that it has at least one port to read and one port to write data in and out of the register file, and thus inherently a register file has at least two ports.

22. Parady has not explicitly taught in the detailed description of its device each bank having no more than two ports. However, Parady does teach having a bank of memory

with one or two ports in column 5, lines 32-34. A person of ordinary skill in the art, and as taught by Parady, would have recognized that only having one or two ports in a bank of memory uses less silicon than duplicating registers (Parady column 5, lines 30-31), thereby it is more economical to have only one or two port banks of memory (Parady column 4, lines 32-34). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the one or two port memory banks of Parady in the device described in Parady to use less silicon and be more economical.

23. Regarding claim 20, Parady has taught the processor of claim 19, wherein the register set is logically partitioned into a plurality of relatively addressable windows where the number of windows of the register set is according to the number of threads that can execute in the processor (Parady Col.3 lines 43-49 and Col.4 lines 1-8). Here, the register file is divided into four register files for four threads (Parady Col.3 lines 43-45), and there is a thread field in each instruction that identifies which thread an instructions operands come from (Parady Col.4 lines 1-8). This makes each register in each register file relatively addressable, being differentiated from each other relative to their 2-bit thread field.

24. Claims 6-7 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parady, U.S. Patent No. 5,933,627 (herein referred to as Parady) in view of itself, as applied to claims 1-5 above, and further in view of Waldspurger et al., “*Register Relocation: Flexible Contexts for Multithreading*” (herein referred to as Waldspurger).

25. Regarding claims 6 and 23, taking claim 6 as exemplary, Parady has taught the execution unit of claim 1, wherein the control logic further comprises:

- a. Context switching logic (Parady 112 of Fig.3) fed by signals from a plurality of shared resources (Parady Col.3 lines 57-65).
26. Parady has not explicitly taught wherein the signals cause the context event logic to indicate that threads are either available or unavailable for execution.
27. However, Waldspurger has taught a context switch scheduler that comprises a circularly-linked “ready queue” which determines which contexts are ready for execution when a context switch is required in order to provide fast context switching (Waldspurger paragraph 1 of Sec. 2.2). One of ordinary skill in the art would have recognized that it is a primary goal of microprocessor designers to reduce delays in their datapath, such as those introduced when a context switch is required, thereby increasing the speed and throughput of their processors. Therefore, one of ordinary skill in the art would have found it obvious to modify the processor of Parady to provide threads that are available for execution in the manner of Waldspurger so that context switches can be performed fast, thus increasing the processor speed.
28. Regarding claims 7 and 23, taking claim 7 as exemplary, Parady in view of Waldspurger has taught the execution unit of claim 6, wherein the control logic addresses a set of memory locations for storing a list of available threads that correspond to threads that are ready to be executed and a set of memory locations for storing a list of unavailable threads that are not ready to be executed (see above paragraph 27 and Waldspurger paragraph 1 of Sec. 2.2). Here, the “set of memory locations” is a circularly-linked queue, such that the next threads that are ready to be executed are at the “head” of the list, while those that are not ready, or were recently switched from, reside at the “tail” of the list (Waldspurger Sec. 2.2).

29. Claim 23 is nearly identical to claims 6 and 7, differing in its parent claim, but encompassing the same scope as claims 6 and 7. Therefore, claim 23 is rejected for the same reasons as claims 6 and 7.

30. Regarding claim 24, Parady in view of Waldspurger has taught the execution unit of claim 23, wherein execution of a context swap instruction causes a currently running thread to be swapped out to the unavailable thread memory set and a thread from the available thread memory set to begin execution within a single execution cycle (Parady Fig.3, Col.2 lines 18-25, Col.3 lines 57-65 and Waldspurger paragraphs 2-5 of Sec. 2.2.). Here, a load or store operation signals a context switch (Parady Fig.3 and Col.3 lines 57-65), and the context switch steps store the current context at the “tail” of the circularly-linked list and update the current context to be the thread that was next in line to be executed (Waldspurger paragraphs 2-5 of Sec. 2.2).

31. Regarding claim 25, Parady in view of Waldspurger has taught the execution unit of claim 23, wherein execution of the context swap instruction specifies one of the signal inputs and upon receipt of the specified signal input causes the swapped out thread to be stored in the available thread memory set (Parady Fig.3, Col.2 lines 18-25, Col.3 lines 57-65 and Waldspurger paragraphs 2-5 of Sec. 2.2.). Here, a load or store operation signals a context switch (Parady 114 of Fig.3 and Col.3 lines 57-65), and the context switch steps store the current context at the “tail” of the circularly-linked list and update the current context to be the thread that was next in line to be executed (Waldspurger paragraphs 2-5 of Sec. 2.2).

32. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parady in view of itself in view of Waldspurger, as applied to claim 23 above, and further in view of Trauben et al., U.S. Patent No. 5,509,130.

33. Regarding claim 26, Parady in view of Waldspurger has taught the execution unit of claim 23, but have not explicitly taught wherein execution of the context swap instruction specifies a defer_one operation which causes execution of one more instruction and then causes the current context to be swapped out.

34. However, Trauben has taught a branch delay instruction which causes the execution of one instruction before changing context in order to hide the latency of computing and fetching the branch target (Trauben Col.14 lines 41-60). One of ordinary skill in the art would have recognized that it is desirable to reduce the amount of delay in a microprocessor and thus allow faster execution times. Therefore, one of ordinary skill in the art would have found it obvious to modify the processor of Parady in view of Waldspurger to include a branch delay instruction which allows an instruction to execute while computing and fetching a branch target so that the latency of the operation can be avoided.

Response to Arguments

35. Applicant's arguments with respect to claims 1-7 and 15-26 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

36. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aimee J Li whose telephone number is (571) 272-4169. The examiner can normally be reached on M-T 7:30am-5:00pm.

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37. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Chan can be reached on (571) 272-4162. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

38. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AJL
Aimee J. Li
15 March 2005

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